

APPROVED: Meeting No. 23-94

ATTEST: *Brenda Bean*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 18-94

May 23, 1994

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on May 23, 1994, at 7:30 p.m.

PRESENT

Mayor James F. Coyle

Councilmember Robert E. Dorsey

Councilmember Rose G. Krasnow

Councilmember James T. Marrinan

Councilmember Nina A. Weisbroth

In attendance: City Manager Bruce Romer, Legal Secretary in the City Clerk's Office, Brenda Bean, and City Attorney Paul Glasgow.

1. Mr. Romer acknowledged that the FY95 budget preparations are underway. Two public hearings and one worksession have been held. The next worksession is scheduled for May 24, 1994 at 7:30 p.m. The proposed date for adoption of the budget is June 13, 1994.

2. Mr. Romer reported that certain City staff have been involved with the selection process for a new Executive Director for the Chamber of Commerce. Last week they met with several finalists. Mr. Romer was pleased with the outcome of those meetings and the high quality of the candidates. The Chamber anticipates making a final decision on its new Executive Director in a few weeks.

Meeting No. 18-94

2

May 23, 1994

3. This upcoming weekend is the City's biggest event, Hometown Holidays. Mr. Romer reported on the publicity efforts of the City and others, and said the main feature Saturday evening, Kool & the Gang, will begin at 8:15 p.m. Mr. Romer also acknowledged the tremendous support of this year's Hometown Holidays corporate sponsors and donors.

Re: Proclamation declaring June 5-11, 1994 as
SAFE BOATING WEEK in Rockville.

Proclamation No. 12-94

By unanimous vote of the Mayor and Council, June 5-11, 1994 was declared "Safe Boating Week" in Rockville. Upon the request of the Mayor, Councilmember Marrinan read the Proclamation, the full text of which can be found in Proclamation File No. 7 of the Mayor and Council. Terry Green, Commander, and other members of the Rockville Power Squadron, accepted the Proclamation.

Re: Report on Stand Against Violence
Conference by Miram Padilla, Chris
Wilson, Kristen Bargmeyer and other
student facilitators of the Conference.

Ms. Padilla reported that on April 12, 1994, Community Ministries and the City of Rockville sponsored a Youth Stand Against Violence Conference in order to solicit ideas from youths on how to address drug, alcohol, gun control, racism, discrimination and abuse issues. There were approximately 50 students in attendance. Ms. Padilla thanked Mayor Coyle and Councilmember Dorsey for attending. As a result of the conference, four committees were established to discuss issues. The students then reported on the

Meeting No. 18-94

3

May 23, 1994

following possible solutions.

Abuse

1) Education programs whereby a regular school curriculum would outline what abuse is, how friends can help and where to go for help; 2) Shelters, although not economically feasible at this time, would provide counseling programs dealing with all types of abuse. The shelters would also provide a means of continual support and lodging; and 3) Training programs for abused persons so they can counsel other victims.

Racism and Discrimination

1) More projects to alleviate free time; 2) A forum wherein communication between students and faculty would promote the need to act now and voice concerns about violence; 3) Projects and workshops to network ideas on stopping violence and also showing what students can do at the scene of a fight.

Drugs and Alcohol

1) More education needed in each stage of school to avoid the negative situations occurring from drug and alcohol abuse; 2) Family programs throughout the community to promote family discussion on the topic of drugs and alcohol; and 3) Specialized counseling in schools and families on drugs and alcohol.

Gun Control

1) Form more clubs against violence which would give students a useful activity after the school day and reduce free time; 2) The promotion of a walk-a-thon against and violence; and 3) "Gun Turn In" in high schools, after which a positive

Meeting No. 18-94

4

May 23, 1994

reinforcement awards ceremony/presentation would be held to recognize their important efforts and achievements in the reduction of violence and crime in communities and school.

Chris Wilson also expressed his appreciation to the Rockville City government, in particular, Mayor Coyle and Councilman Dorsey, for their support and attendance at the conference. Chief Treschuk and Captain England of the Police Department also were acknowledged for their effort and support.

Mayor Coyle recognized and welcomed Miram Padilla's father, a former Mayor of San Juan, Puerto Rico.

Councilmember Krasnow commended the students for their part in view of the very large scope of this problem and inquired where the students intended to take their proposed solutions.

Councilmember Marrinan mentioned the legislative efforts by the Maryland General Assembly and others in addressing issues of gun control and keg registration, and suggested that they consider testifying on some of this pending legislation.

Councilmember Weisbroth mentioned a gun reporting program started by Montgomery County whereby students could "call-in" and report guns. She asked whether they were familiar with that program and if it is something they might be interested in promoting. Councilmember Weisbroth commended the students for their tireless efforts and commitment to ending violence.

Councilmember Dorsey suggested that these groups include a parent, or other

Meeting No. 18-94

5

May 23, 1994

adult, for input purposes and also for additional support.

Mayor Coyle mentioned the importance of conflict resolution as a violence reducing measure and what role the City might play in promoting and fostering this concept. Mayor Coyle expressed his desire to help in any way to keep this commitment going strong and asked the students to report back to the Mayor and Council in the fall.

Re: Random drawing to select ten participants
and ten alternates for the 1994 REACH
Program.

Mayor Coyle gave a brief description of the REACH Program and introduced Jo Ann Anderson, President of the Montgomery County Board of Realtors. Ms. Anderson thanked Betty Lopez, President, Tim Knoblock, Chairperson, and members of Housing Charities, Incorporated, an affiliate of the Montgomery County Association of Realtors, for their involvement and efforts in the facilitation of the REACH Program. Ms. Anderson outlined the application process for the REACH Program and briefly described guidelines and rules for the applicants.

The Mayor and Council conducted the random drawing and the following ten winners were selected: Larry Parks, Lawrence and Margaret Finesca, Pamela Jones, Ellen Josephson, Eric and Crystal Cole, Edna Hughes, Robert and Patricia McCormick, Lillian Armand, Emanuel and Estelle Thompson, and Kirsten Carter.

The Mayor and Council selected the following ten alternates: Artina Perry, Christopher Cooper, Juanita and Ronald Tenley, Robin Smith, Leslie Dorsey, Mark and Linda Metcalf, Richard Dorsey, Jr. and Cynthia Dorsey, Lisa Cooper, Ruth Murphy, and

Meeting No. 18-94

6

May 23, 1994

Ellen and John Morgan.

Mayor Coyle recognized former Mayor and Councilmember Viola Hovsepian, present in the audience, and expressed his thanks and gratitude for her early and continuing efforts in the promotion of affordable housing in the city of Rockville.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Glen Mays, Executive Director for Habitat for Humanity, Montgomery County, expressed his pleasure regarding the placement of the second Habitat house in Rockville. The first was erected in Lincoln Park in 1990. Mr. Mays thanked the Affordable Housing Task Force for their efforts in locating the property for the placement of the Habitat house and thanked Pulte Homes, Inc. who donated the house. Mr. Mays noted that the objective of Habitat is to improve the quality of communities while at the same time affording an opportunity to a first-time home buyer who might not otherwise qualify to purchase a home.

2. Inga Vandrey, 200 Dale Drive, representing the Richard Montgomery High School Community Service Club, invited the Mayor and Council to attend the Mickey Leland Memorial Hunger Banquet, on May 25, 1994. Ms. Vandrey outlined the agenda for the evening and said the purpose of the Hunger Banquet is to increase awareness and to educate the participants regarding the inequity in income and food distributions in countries around the world. All proceeds from the event will aid in the fight against hunger.

2. Linda Jones, 1011 Paul Drive, said, as a first-time homeowner, she is

Meeting No. 18-94

7

May 23, 1994

experiencing financial problems and is having difficulty making necessary repairs to her home. She asked that information be made available to first-time home buyers to help in determining what repairs might be needed. Mayor Coyle suggested that she contact Neal Herst, Director of Community Development.

3. Alan Walters, 76 Rockcrest Circle, regarding the Habitat for Humanity house which is proposed to be placed on Lewis Avenue. Mr. Walters expressed his concern that the construction of this home would destroy the buffer zone and green common area the residents of the townhouse development currently enjoy.

4. David Wyler, 78 Rockcrest Circle, mentioned his support of Habitat's objectives, but also voiced several concerns relative to the construction work and the possible destruction to a private roadway maintained by the townhouse association. He asked that property and property rights be respected during construction. Mr. Wyler also expressed concern that large trees currently in place remain intact and that any trees disturbed during the process be replaced.

Councilmember Weisbroth clarified the City's position that if repairs were necessary due to the excavation/construction process, the City would be responsible for them.

5. Stan Klein, 7 Lorre Court, inquired when the Traffic and Transportation Commission would be able to meet with the Mayor and Council to discuss the Pedestrian Policy. Mayor Coyle indicated that a meeting would be scheduled within the next month.

Mr. Klein commented on the difficulty in reading the CIP and Budget

Meeting No. 18-94

8

May 23, 1994

document. He suggested that it would be helpful, during the next budget cycle, to improve the readability and understandability of the CIP and budget document.

6. Reverend Mansfield Kasemen, 704 Carter Road, submitted a petition in support of Caregiver's Coalition of Rockville's request for human service programs in the 1995 City budget. Reverend Kasemen mentioned how pleased he was with the non-adversarial response to the presentation of the City's budget, and also commended City staff on their efforts for the Habitat for Humanity home proposal.

Mayor Coyle mentioned the importance of addressing the concerns of the Rockcrest Townhouse residents relating to the Habitat home and he said that staff has worked very closely with the residents and the Twinbrook Citizens Association regarding this project to make certain that as little disruption as possible occurs as a result of the placement of the home.

7. Jim Arpin, 74 Rockcrest Circle, Director of the Rockcrest Circle Homeowner's Association, expressed his appreciation to Ed Duffy, Assistant Chief of Economic Development, and Glen Mays, Executive Director, Habitat for Humanity, for taking the time to discuss the project and answer questions. Mr. Arpin expressed concern that not all homeowners received the letter announcing that this project was scheduled on tonight's agenda. Mr. Arpin also expressed concern over destruction of the private property and roadway during the construction process and asked for assurance that the townhouse owners do not suffer from the project.

Councilman Marrinan noted that of the homes in the Rockcrest Townhouse

Meeting No. 18-94

9

May 23, 1994

development, at least 15 were notified.

8. Craig Falk, 311 Dean Drive, President, Twinbrook Citizens Association, mentioned the very good relationship the Association enjoyed with City staff in general, and in particular, City Manager Bruce Romer, Chief of Police Terry Treschuk and Neal Herst, for keeping the Association abreast of issues. Mr. Falk also endorsed and saluted the efforts of the City and Habitat for Humanity for the public-private cooperative initiative which presents an enormous opportunity for a first-time home buyer.

Re: Appointments

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Dean Brenneman was reappointed to serve on the Historic District Commission and also was appointed as Chair.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Ann Reed Gaines was appointed to serve on the Traffic and Transportation Commission.

Re: Approval of Minutes

Mayor Coyle requested that the approval of minutes be taken off the agenda due to the absence of the City Clerk, who is away on travel, and the desire of the Council to clarify certain items contained therein. The minutes will be brought back for approval on June 13th.

Re: Consent Agenda

Meeting No. 18-94

12

May 23, 1994

Councilmember Marrinan inquired whether representatives of the various organizations and employee groups of the City knew about the Manual and changes to the ordinance, and whether or not they were encouraged to come before the Mayor and Council. Mr. Romer responded that the groups and representatives were encouraged to offer their input and feedback to designated City contacts, and that employee groups were aware of the new manual and the City's intention to implement it. The Mayor and Council agreed to have a more in-depth discussion regarding this agenda item.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the ordinance was introduced.

Re: Adoption of Resolution to Grant Bank Signature Authority to Three Officials.

Federal regulations on client signature authority for bank collateral purchases require that an authorized signer is easily accessible. This resolution grants signature authority to the City Manager, City Clerk, and the Director of Finance.

Resolution No. 8-94

Mr. Romer reported that the action was a requirement of the City's banking institution for confirmation purposes and was purely administrative.

Councilmember Krasnow inquired whether this was a new policy. Mr. Romer explained that the signature authority in place now allows two people to sign. The action is adding a third name, the Director of Finance.

Meeting No. 18-94

13

May 23, 1994

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Resolution No. 8-94 was adopted. The full text of the resolution can be found in Resolution Book No. 10 of the Mayor and Council.

Re: Authorization for disposition of Block C, David Levezzo's Addition to Rockville, to Habitat for Humanity and Mr. and Mrs. Robert Proffitt.

It is proposed that Habitat for Humanity erect a house on the majority of the site.

Ed Duffy reported that the property is proposed to be transferred to Habitat for Humanity for the placement of a single-family house, and that the remainder of the site be conveyed to the adjacent property owners, Mr. and Mrs. Robert Proffitt. Habitat has an agreement with Pulte Homebuilders, whereby Pulte will donate a home at no cost. The disassembly, transporting and reconstruction of the unit will be the responsibility of Habitat. After reconstruction of the unit, the house will be sold to a qualified family with a 30-year, no-interest mortgage in an amount equal to what Habitat has spent on the home. The use of the Lewis Avenue site for the Habitat house is consistent with the policies of the Mayor and Council in the promotion of affordable housing and meets the goals of the report of the Affordable Housing Task Force.

Councilmember Krasnow asked how long the project would take from start to finish, from a disruption standpoint for the surrounding neighbors. Mr. Duffy indicated it would be at least three months. Mr. Duffy also pointed out that there were trees on site and that reforestation requirements would be met. Councilmember Krasnow expressed

Meeting No. 18-94

10

May 23, 1994

Councilmember Weisbroth requested removal of Item A. Councilmember Krasnow requested removal of Item B.

Re: (Item A) - Award of contract extension for Architecture/Engineering for Interior Improvements to the Rockville Senior Center (Phase III), to Wheeler, Goodman, Masek and Associates of Annapolis, MD in the amount of \$36,870.

Councilmember Weisbroth inquired whether the City competitively bid this project inasmuch as the firm, Wheeler, Goodman, Masek and Associates of Annapolis, MD, was contracted for earlier work to the Senior Center.

Burt Hall, Director of Recreation and Parks, indicated that the City did not competitively bid because Wheeler, Goodman, Masek, the architect for the first two phases, has background knowledge and to hire a new firm at this juncture might be counterproductive.

Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, the contract was awarded.

Re: (Item B) - Introduction of Ordinance to comprehensively amend Chapter 15 of the Rockville City Code, entitled "Personnel," so as to delete, add, and modify various provisions pertaining to employment with the City and personnel matters generally; to provide for the administration of the provisions of the Chapter by the City Manager; and to provide for the adoption and administration by the City Manager of policies

Meeting No. 18-94

11

May 23, 1994

and procedures governing matters relating to employment with the City of Rockville.

Councilmember Krasnow indicated that due to the substantive changes to the Chapter, more discussion was needed. She noted an area in the document dealing with groups representing employees which was deleted almost completely, and she wanted to be sure the items were covered elsewhere.

Rich Hajewski, Director of Personnel, responded that the thrust of the ordinance is to incorporate flexibility to administer the newly issued Personnel Policies and Procedures Manual. Mr. Hajewski indicated that the items deleted from the ordinance are incorporated into the Personnel Policies and Procedures Manual.

Mr. Romer noted that this process was consistent with the practice of the City; he referenced the major overhaul of the refuse collection ordinance several years ago, where the detailed policies and procedures were removed from that ordinance and placed in the Rules and Regulations Manual.

Councilmember Krasnow asked if the procedure would make the document any less binding. City Attorney Glasgow responded that any changes contemplated to the Personnel Manual would be routed to the Mayor and Council first. If, after review, the Mayor and Council disagreed with any proposals, it would have the option to place the same on the agenda within 60 days for a formal vote. Mayor Coyle suggested that inasmuch as this is introduction of the ordinance, there could be more discussion prior to adoption.

Meeting No. 18-94

14

May 23, 1994

concern that not all the homeowners in that association were notified of the project.

Councilmember Marrinan reported that he toured the site and visit with the Proffitts, and he said the Proffitts were very favorably disposed to this concept.

Councilmember Weisbroth expressed her pleasure with the surrounding residential neighborhood's acceptance of this project, as they have over the years with other projects and developments, in an effort to promote the City's goals for affordable housing.

Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, authorization to proceed with the disposition of Block C, David Lavezzo's Addition to Rockville, to Habitat for Humanity and Mr. and Mrs. Robert Proffitt was approved.

Re: FYI/Correspondence

1. Councilmember Weisbroth asked for clarification regarding the definition of domestic animals due to the presence of sheep in a residential neighborhood.

2. Mayor Coyle mentioned the need to get letters out to the City's Congressional Delegation regarding the FDA's site proposal, given the size of the acreage request.

3. Mayor Coyle announced that the "Art for a Steal" fundraiser was a success for Rockville Arts Place.

4. Mayor Coyle commented on the excellent private sector donations received for Hometown Holidays.

Re: New Business - Proclamation recognizing June 11, 1994 as Gay, Bisexual and Lesbian Pride Day.

Councilmember Krasnow read the Proclamation. Upon motion of

Meeting No. 18-94

15

May 23, 1994

Councilmember Krasnow, duly seconded and unanimously passed, the Proclamation was passed. Lloyd Leifer accepted the Proclamation. The full text of the Proclamation can be found in Mayor and Council Proclamation File No. 7.

Re: Next Meeting

The next meeting of the Mayor and Council is a Budget worksession scheduled for Tuesday, May 24, 1994, at 7:30 p.m.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:41 p.m., to convene in worksession on Tuesday, May 24, 1994.